

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICAN CIVIL LIBERTIES UNION, et al.,

Plaintiffs,

v.

FEDERAL BUREAU OF INVESTIGATION,
et al.,

Defendants.

)
)
)
)
) Civ. A. No. 05-CV-1004 (ESH)
)
)
)
)
)

EXHIBIT E

(FIFTH DECLARATION OF DAVID M. HARDY)

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Page 1

Precedence: ROUTINE

Date: 09/04/2003

To: Counterterrorism

Attn: SSA [REDACTED] SEMU

SSA [REDACTED] DTOU

UC [REDACTED] DTAU

b6 -1

New York

Attn: SA [REDACTED] DT-5

Boston

SA [REDACTED] CT-2

b7C -1

Los Angeles

SA [REDACTED] USSS, CT-3

SA [REDACTED] CT-6

From: Los Angeles

CT-6

Contact: [REDACTED] [REDACTED]

Approved By: [REDACTED]

b6 -1

Drafted By: [REDACTED]

mad

b7C -1

b2 -1

Case ID #: 300A-NY-284132 (Pending)

300A-LA-C217624 (Pending)

Title: 2004 REPUBLICAN NATIONAL CONVENTION,

AUGUST 30 - SEPTEMBER 3, 2004;

NEW YORK, NEW YORK;

Synopsis: RNC protest web sites established.

Reference: 300A-NY-284132 Serial 11

Details: Review of the Internet found three web sites that are currently promoting protests against the upcoming 2004 Republican National Convention (RNC) in New York. At least one of these sites is operated by a group known to have participated in previous illegal and disruptive demonstrations against political and economic gatherings in the United States. This information is being reported to recipients in a effort to facilitate security awareness and Special Event planning for the 2004 RNC.

As previously reported to this file in serial 11, the group RNC Not Welcome, www.rncnotwelcome.org, is promoting demonstrations to "disrupt" the 2004 RNC. Additionally, the web site www.counterconvention.org, which is hyperlinked to RNC Not Welcome, has been established to promote the same types of protests against the 2004 RNC. [REDACTED] Out of Scope

b6 -4

b7C -4

b7D -2

[REDACTED] includes the

Case ID : 300A-NY-284132
300A-LA-C217624
300A-NY-284132-K

Serial : 19
168
4

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Page 2

following statement regarding its intended makeup; "Imagine: A million people on the street, representing the diversity of New York, and the multiplicity of this nation - community organizers, black radicals, unions, anarchists, church groups, queers, grandmas for peace, AIDS activists, youth organizers, environmentalists, people of color contingents, global justice organizers, those united for peace and justice, veterans, and everyone who is maligned by Bush's malicious agenda - on the street - en masse - An overwhelming, festive, and poignant showing with the entire world bearing witness."

Review of the Internet found that a web site operated by Global Exchange, one of the groups responsible for organizing protests against the World Trade Organization (WTO) meeting in Seattle that turned violent during late 1999, is promoting demonstrations against the 2004 RNC via www.unitedforpeace.org.

Out of Scope

b6 -4

b7C -4

b7D -2

Members of Global Exchange are also known to have participated in past anarchist events, to include the "Showdown in Texas" held in Austin, Texas, between May 3rd and May 5th, 2003, to protest the Administration of President George W. Bush.

Text of United For Peace and Justice's (UFPJ) "Call for Mass Demo," dated 7/7/03, that is posted to various Internet sites, follows: "UNITED FOR PEACE AND JUSTICE, 212-603-3700, MASS WORLDWIDE PROTEST DURING THE REPUBLICAN CONVENTION IN NEW YORK CITY: SUNDAY, AUGUST 29, 2004

"In the last three years, George W. Bush has presided over a radical right-wing takeover of the U.S. government whose ramifications have been felt all over the world. Not only has he waged two wars, killing thousands of innocent people, during his short time in office, but he has also implemented a policy of pre-emptive war that violates international law and threatens global security. On the home front, unemployment soars, the federal budget deficit swells into the billions, and states prepare to slash funding for everything from healthcare to education, yet Bush responded with two huge tax cut that will primarily benefit the wealthy rather than the people who are most in need.

"On every issue - from environmental regulations and international treaty participation to worker rights, civil rights and civil liberties - George W. Bush has pushed for unprecedented and destructive changes in U.S. foreign and domestic policy that even more sharply favor corporations and the wealthy, especially Bush Administration supporters at the expense of the people of the world and our environment.

"Meanwhile, the Bush Administration shamelessly uses the tragic attacks of September 11, 2001 to justify its aggressive and militaristic policies. In its most recent attempt to exploit the grief and fear that were provoked after September 11, the Republican Party pushed back its 2004 convention to August 28 - September 2, 2004 and will hold it in New York City,

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Page 1

Precedence: PRIORITY

Date: 05/24/2004

To: New York
Boston

Attn: JTTF
FIG Supervisor
DNC Working Group
CT-2

From: Boston

CT-2

Contact: [REDACTED] [REDACTED]

b2 -1

b6 -1

Approved By: [REDACTED]

Drafted By: [REDACTED]

b6 -1

b7C -1

b7C -1

Case ID #: 266A-BS-92850 (Pending)

Title: [REDACTED]

[REDACTED] Threat to Disrupt Democratic National
Convention; AOT-DT; Violent Crimes - Predicate Offense

b6 -4

b7C -4

Synopsis: To set lead to New York Division to identify
subject [REDACTED]

b6 -4

b7C -4

Enclosure(s): Enclosed for NYO is (1) copy of forum taken off
Indymedia.org containing excerpts by [REDACTED]

Out of Scope

b6 -4

b7C -4

b7D -4

Details: Through the course of criminal investigation, Boston
has learned that [REDACTED]

Out of Scope

b6 -4

b7C -4

b7D -2,4

Case ID : 266A-BS-92850
266A-NY-284923-B

Serial : 61
6

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Page 2

[REDACTED]

b6 -4

b7C -4

[REDACTED]

Out of Scope

b6 -4

b7C -4

[REDACTED]

[REDACTED] "The Organization" is discovered to have a very loose affinity for the Black Bloc, a renowned anarchist tactic.

b6 -4

[REDACTED] critical of the traditional "hammering" tactics as used by other anarchist groups, most notably the UFPJ, NION, ANSWER, as well as the Black Bloc Hammers. It is known to the writer that the term "hammering" conveys illegal activity such as property destruction, disruption of traffic, antagonization of police, and the interruption of business.

b7C -4

According to [REDACTED]

[REDACTED]

b6 -4

b7C -4

Out of Scope

[REDACTED]

b6 -4

b7C -4

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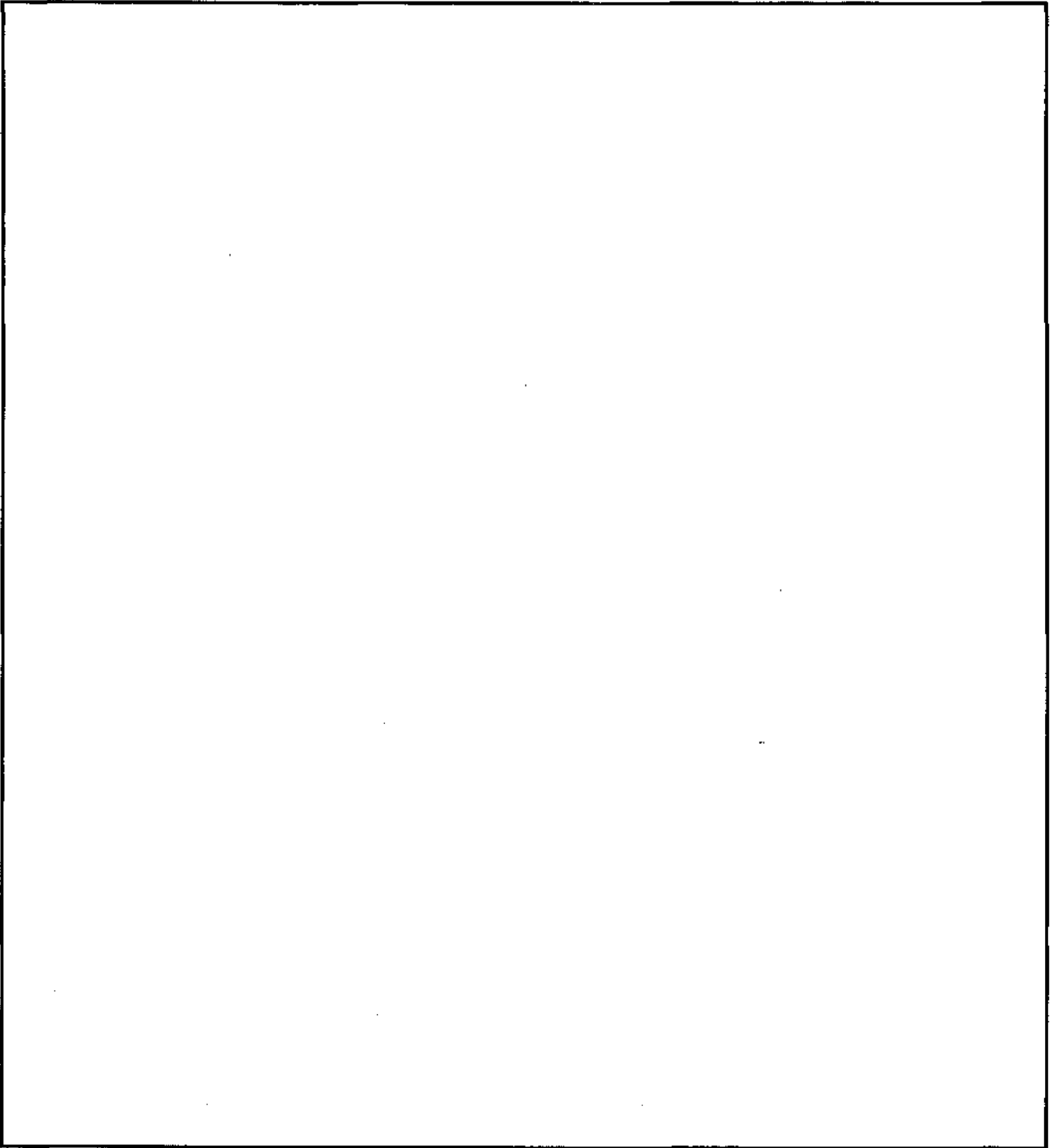
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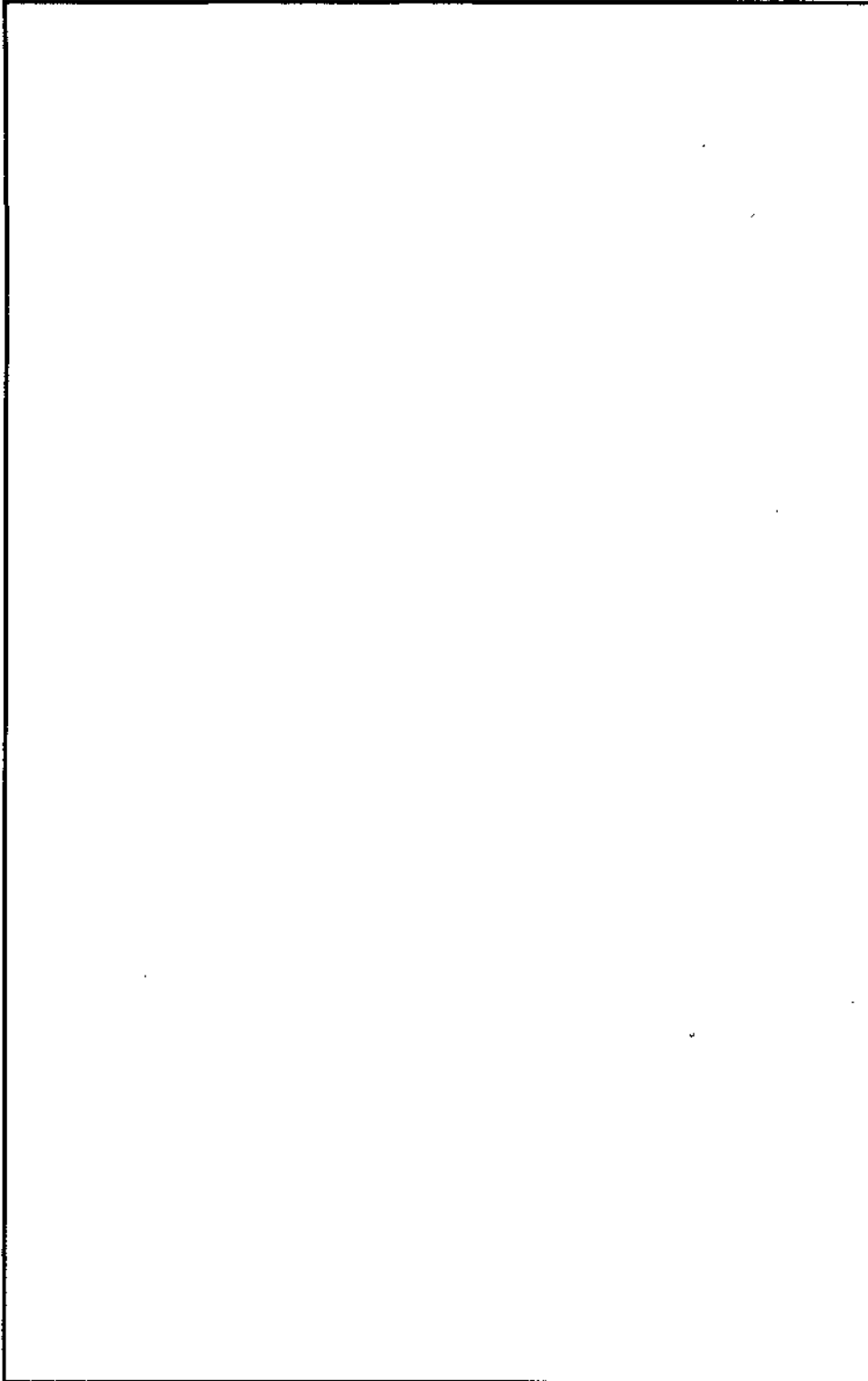
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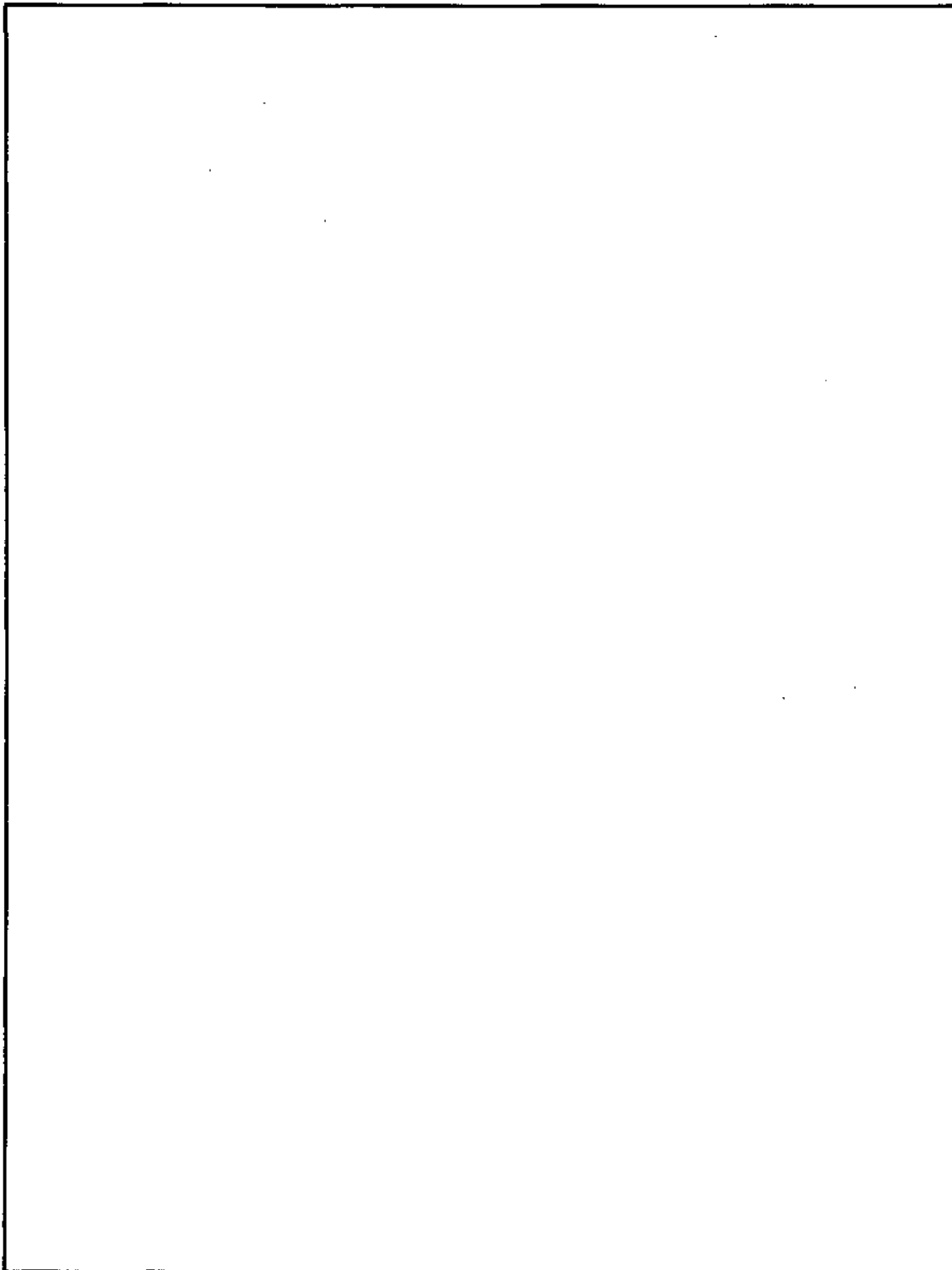
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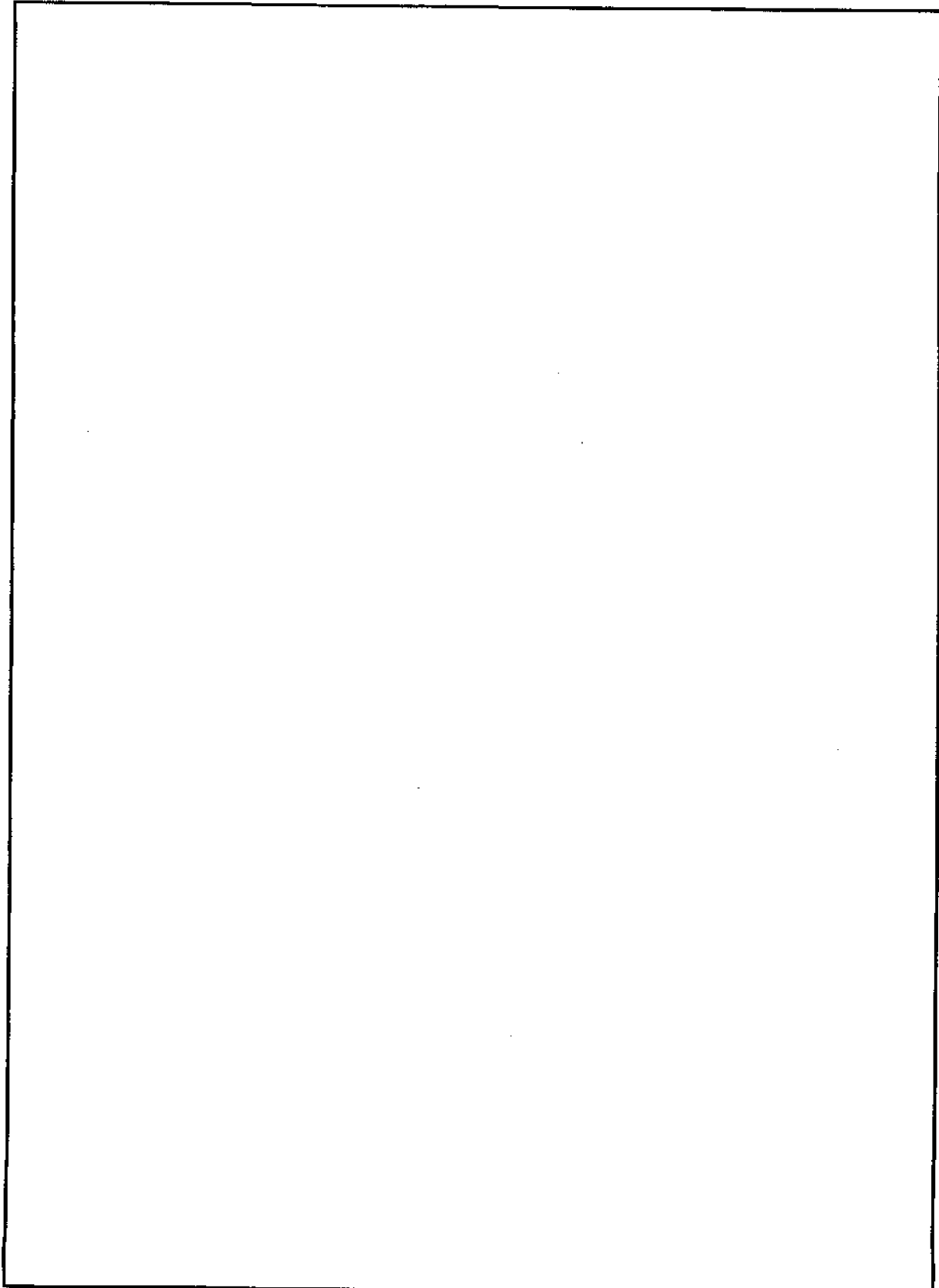
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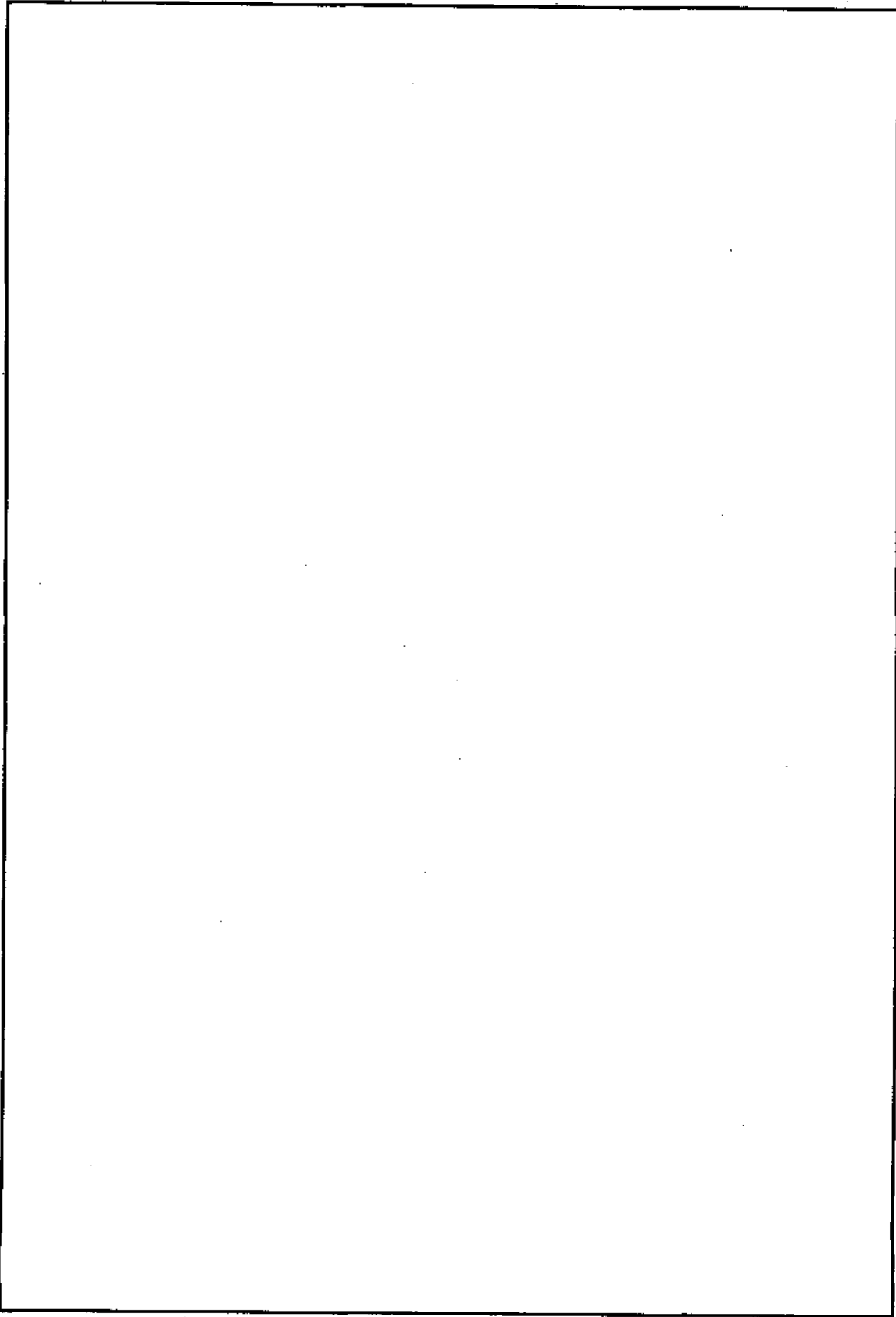
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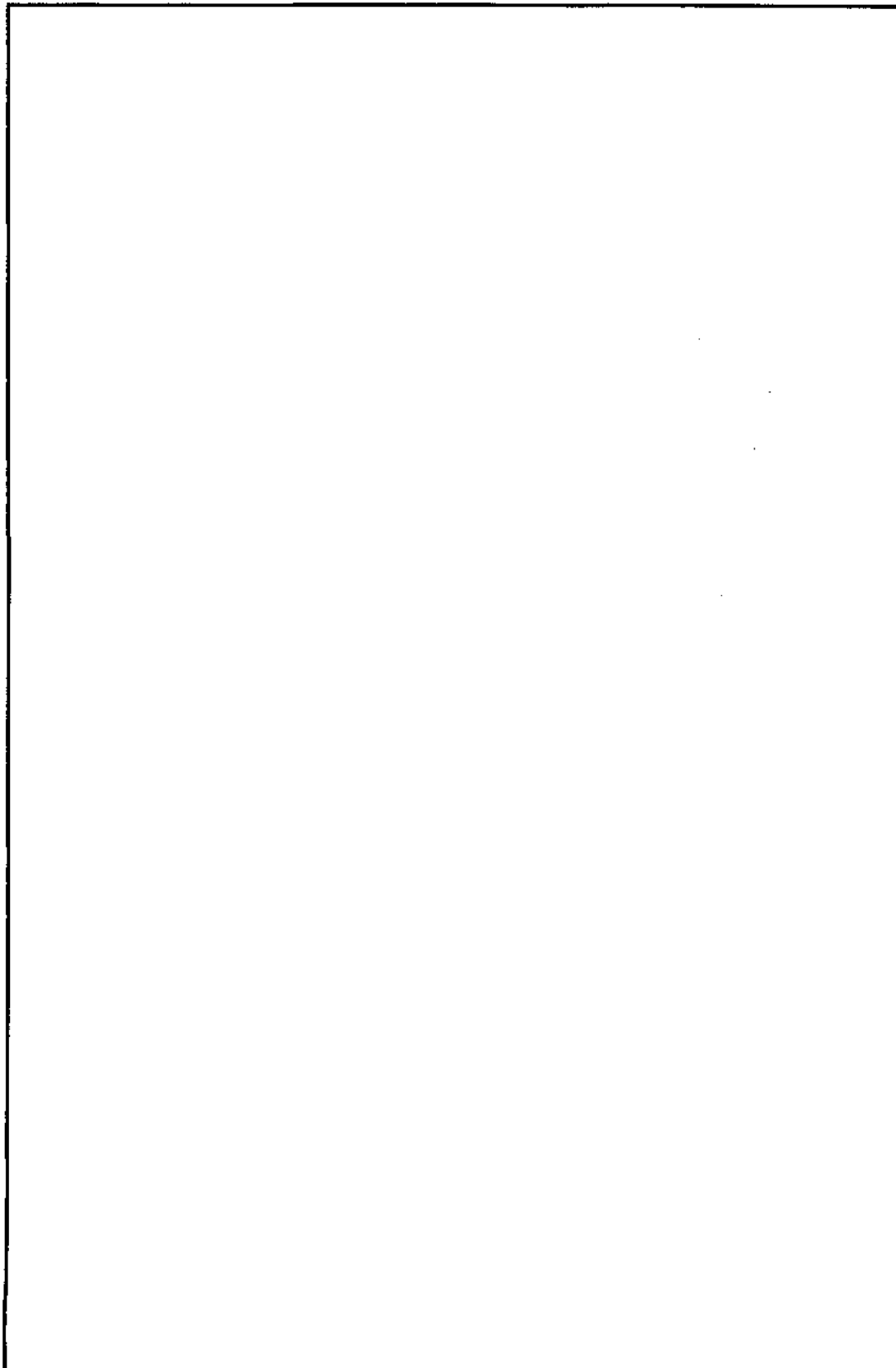
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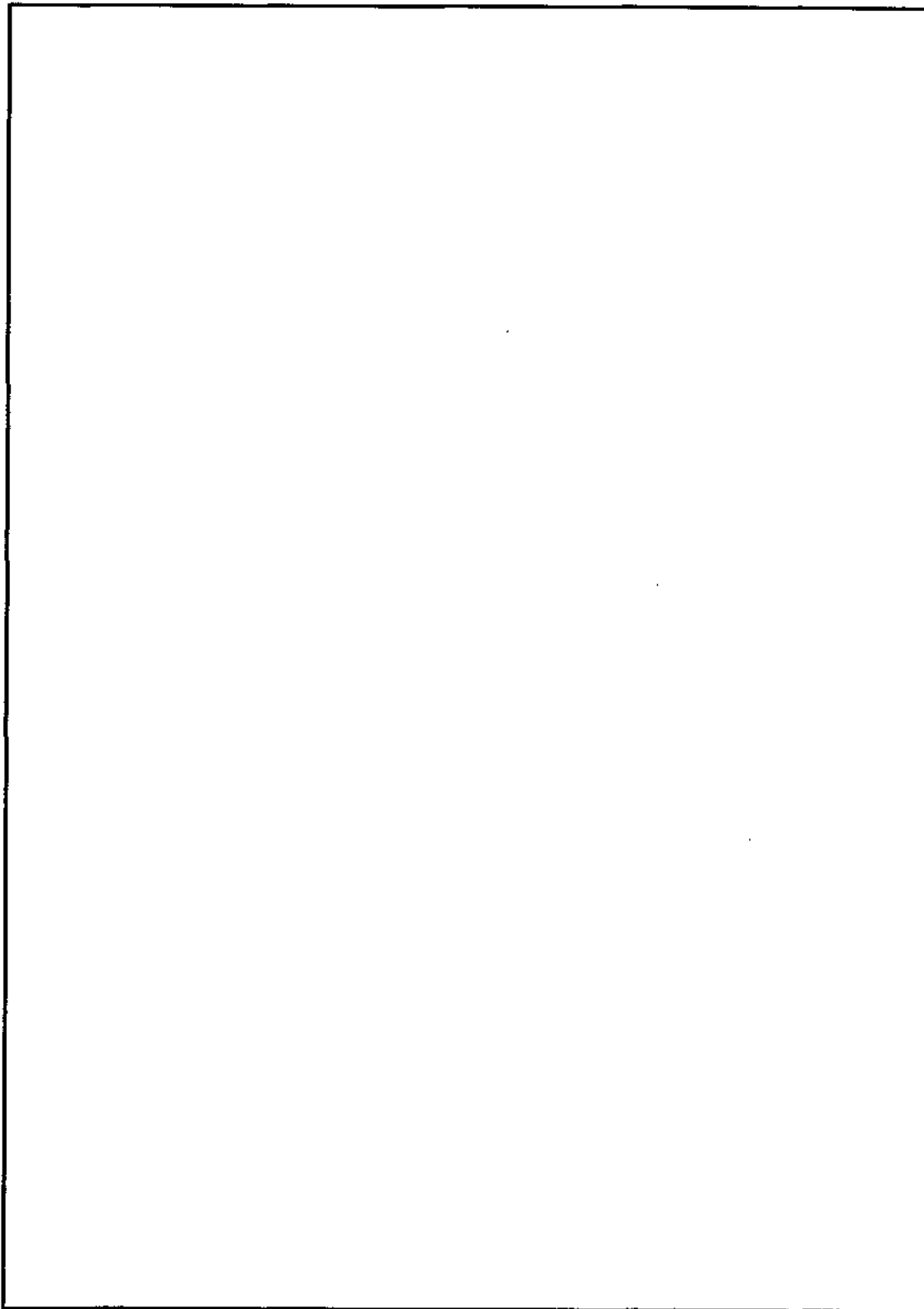


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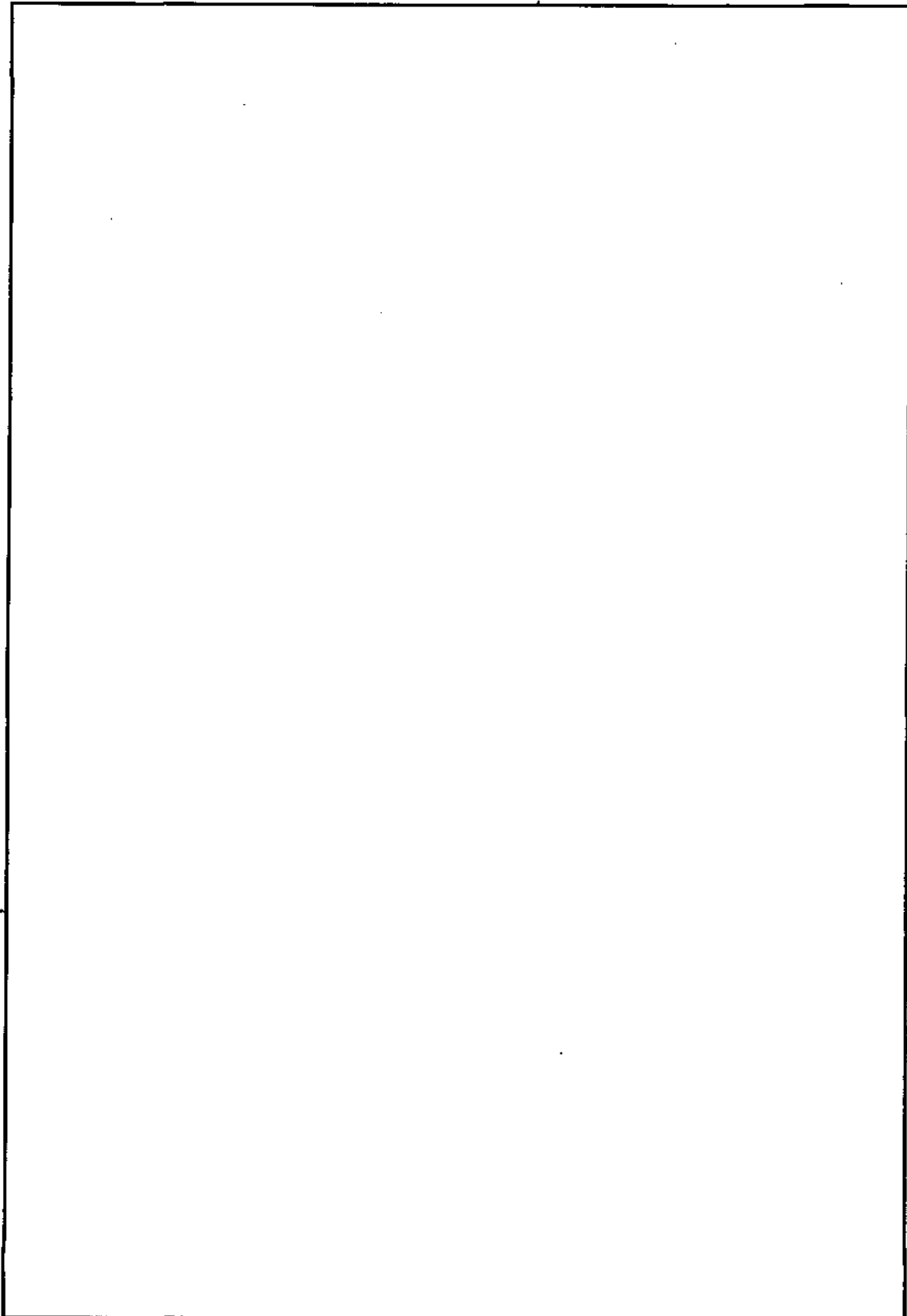


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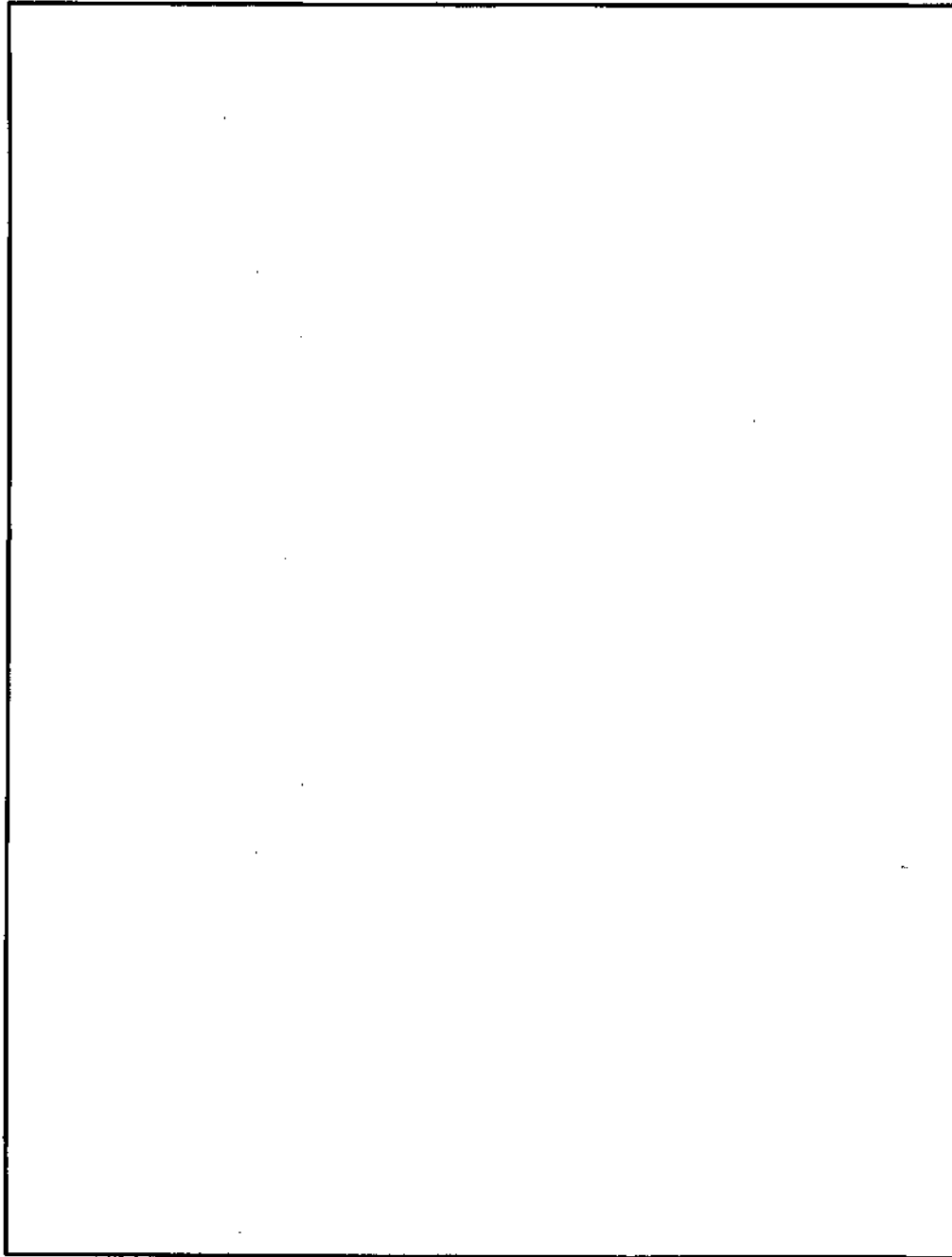




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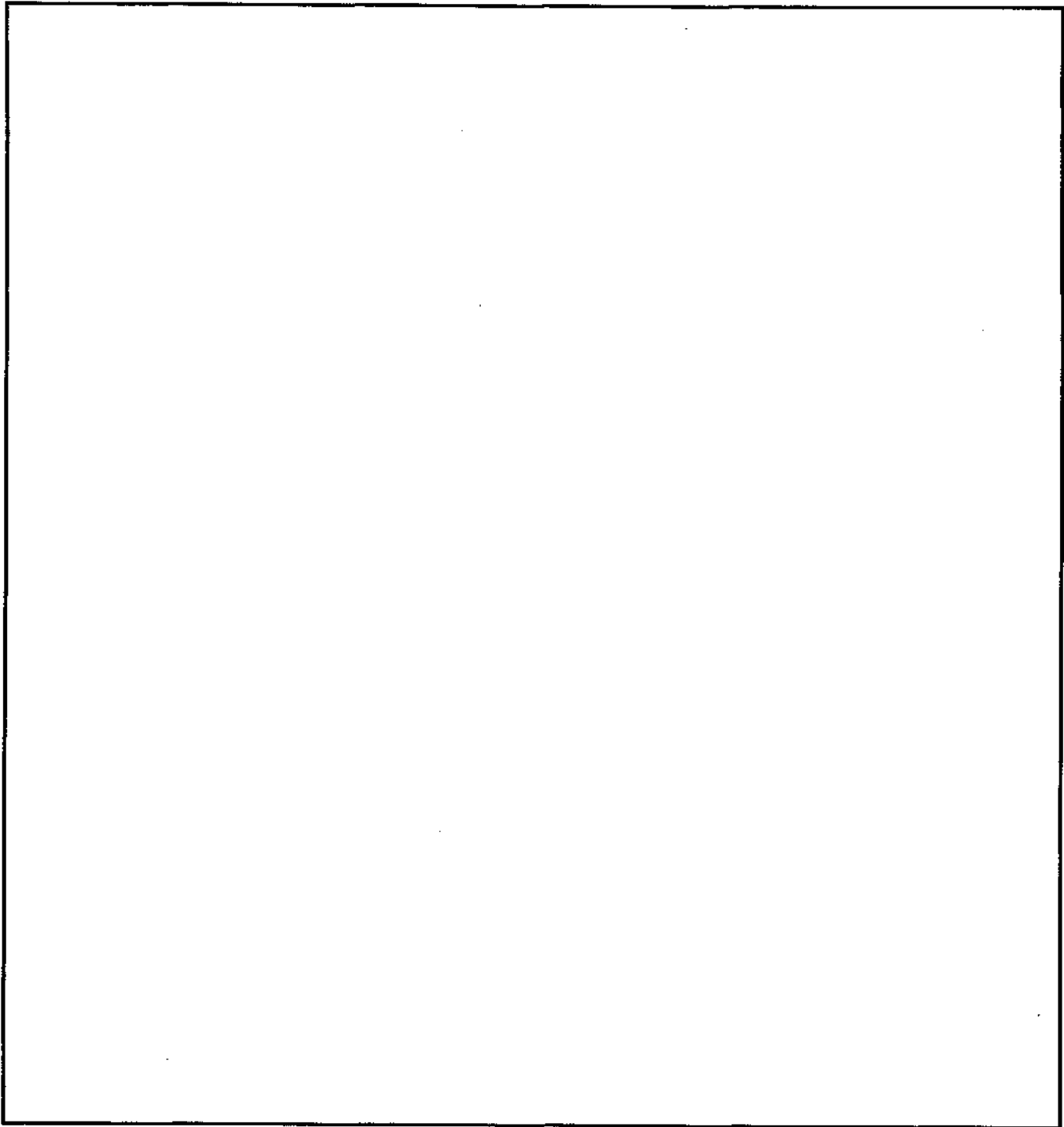


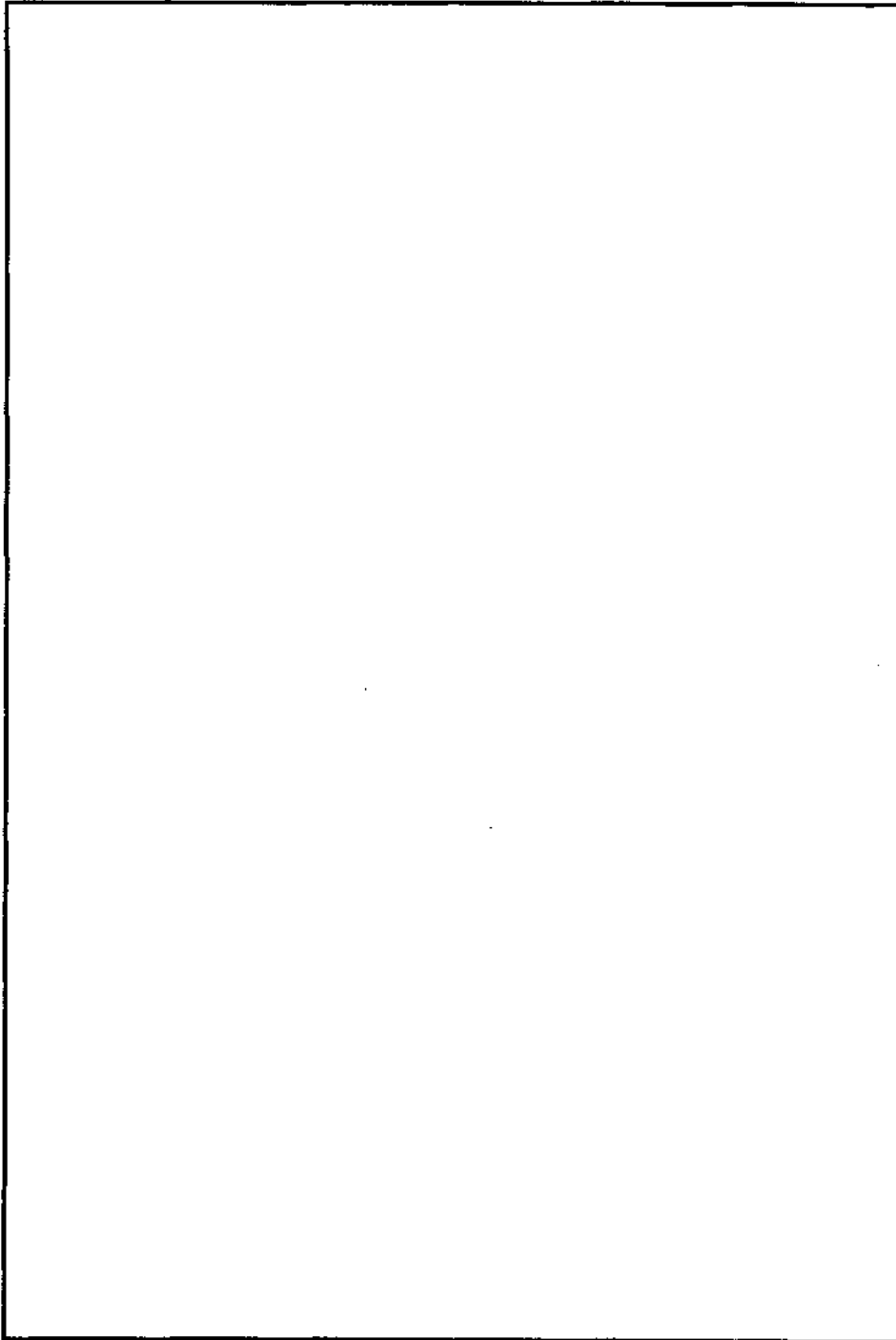
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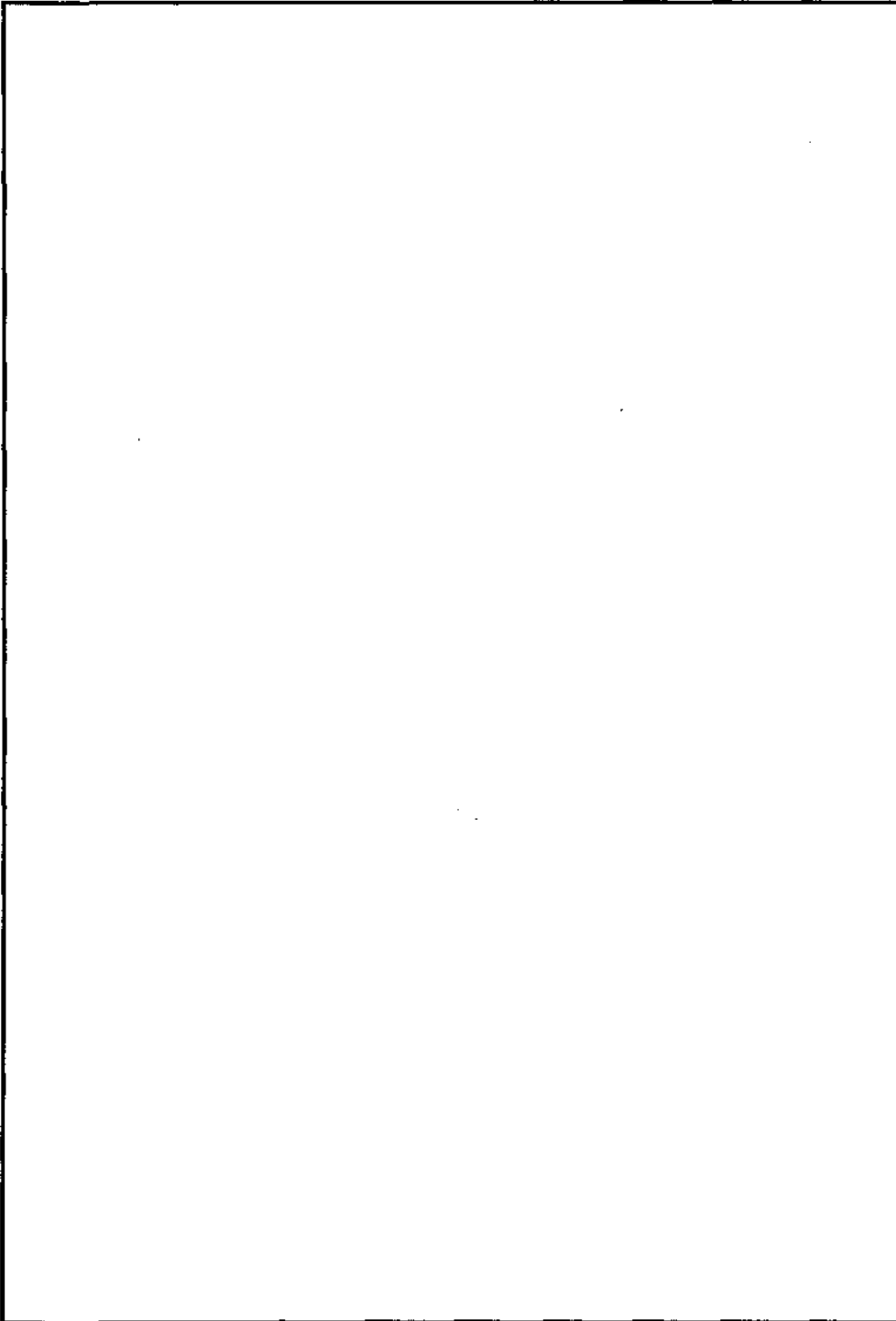
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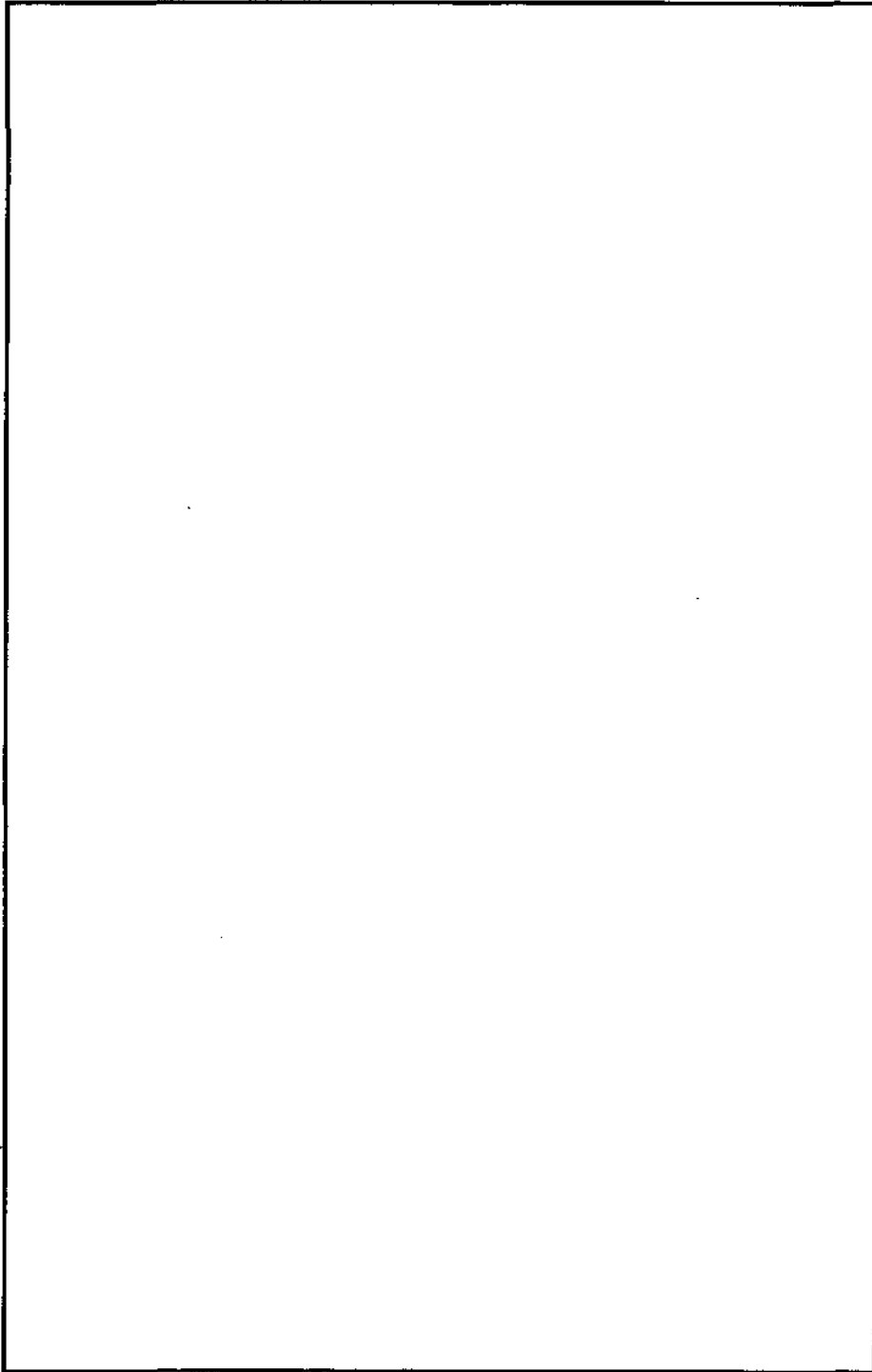




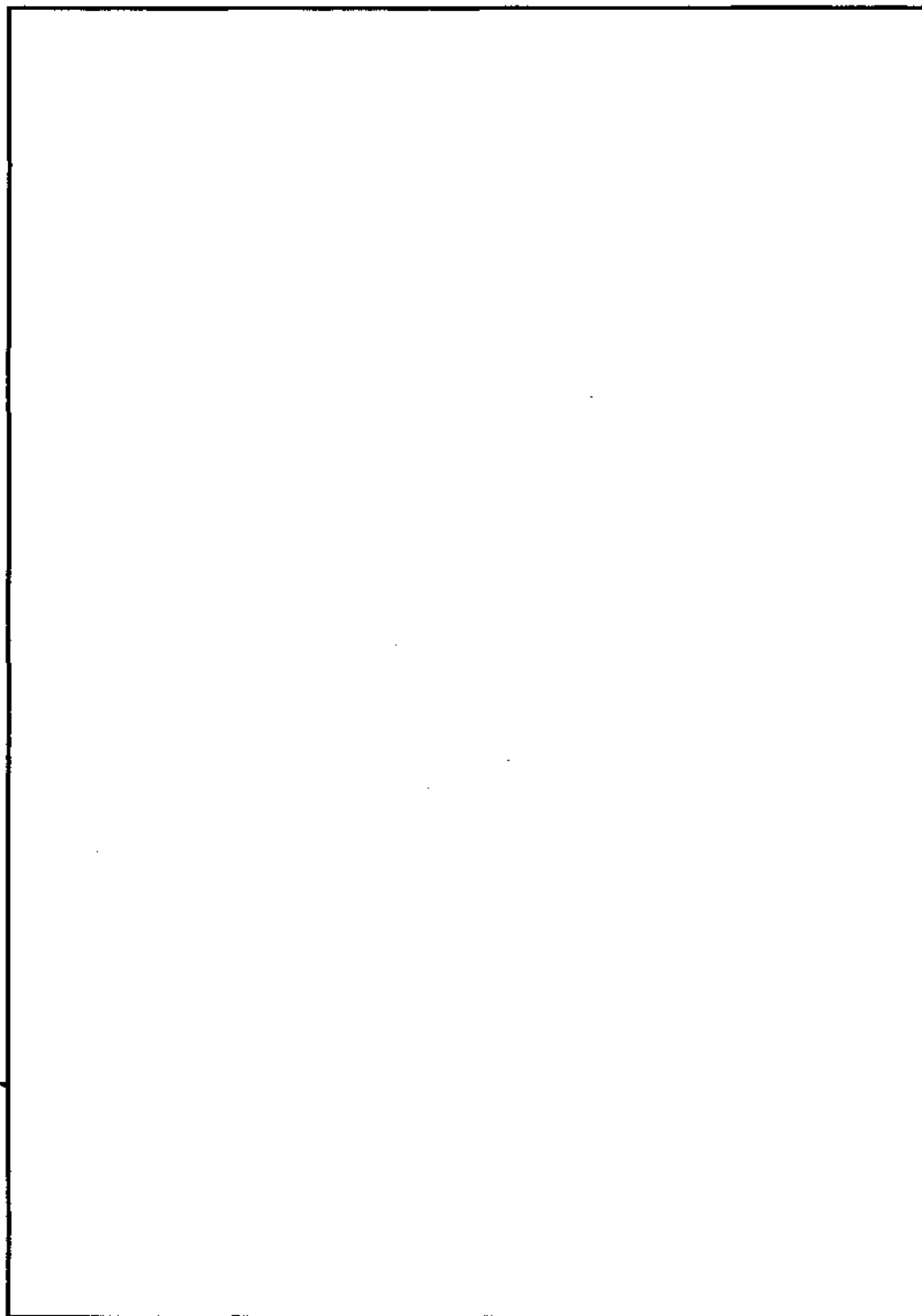
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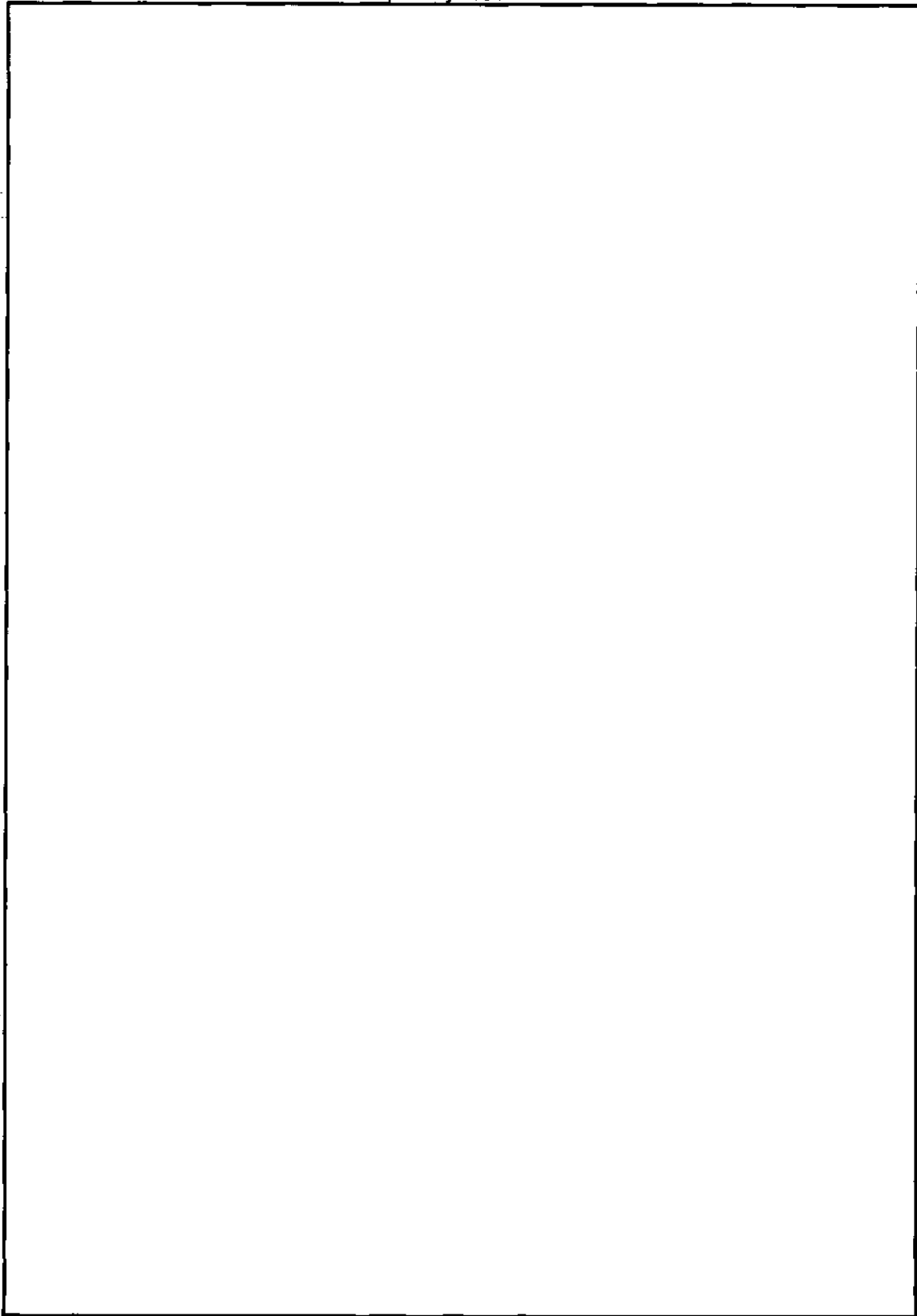
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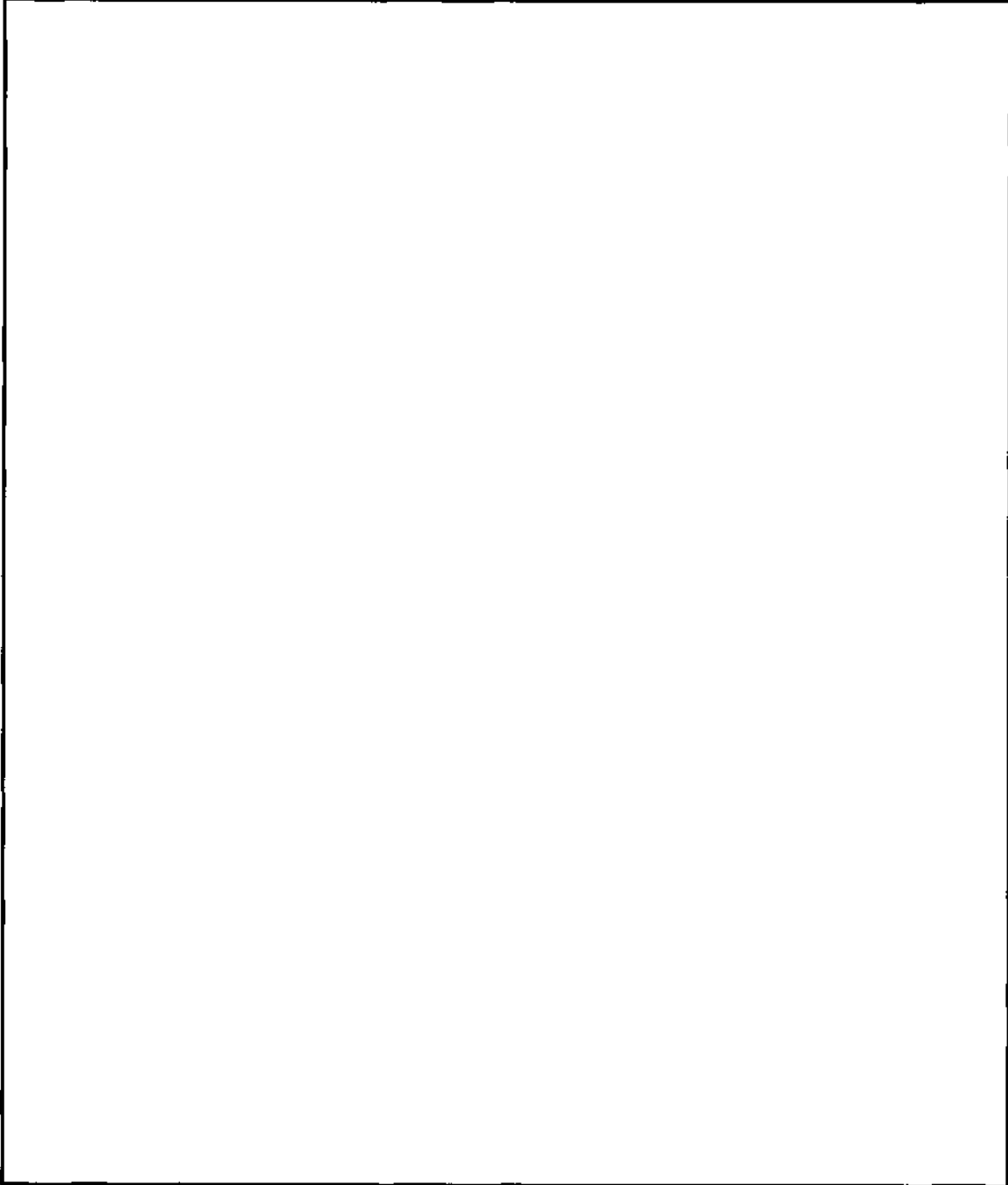
USA PATRIOT Act
Reauthorization Briefing Book
April/May 2004



USA PATRIOT Act
Reauthorization Briefing Book
April/May 2004



2 IACLU lawsuits



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Intelligence Authorization Act National Security Letters

Issue: The Intelligence Authorization Act (H.R. 2417) expands the FBI's authority to request information via National Security Letters. The Act expands the definition of "financial institution" to include businesses such as insurance companies, pawn brokers, travel agencies, and casinos.

Despite the use of similar tools in non-terrorism cases, civil libertarians have argued that the FBI should be required to obtain third-party approval from a judge or grand jury before seeking such records. Also the definition of "financial institution" incorporated in the Act is somewhat open-ended, because it includes "any other business designated by the Secretary [of the Treasury] whose cash transactions have a high degree of usefulness in criminal tax, or regulatory matters." (31 U.S.C. 5312 (a)(2)(Z)). Thus opponents of the change can create hypothetical situations in which almost any business could be covered by the new definition.

In a November 12, 2003, press release the ACLU said that the practical effect of the change "would be a further expansion of the FBI's ability to force small businesses to invade their clients' privacy without giving those so ordered any judicial recourse to stop unwarranted intrusions, while preventing them from informing their clients that they were forced to turn over the records."

OTHER O/S

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b7C -4,5

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